

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARK EDWARD WAYT,	)	
	)	
Petitioner,	)	4:06CV3134
	)	
vs.	)	ORDER
	)	(HABEAS CORPUS)
REX RICHARD,	)	
	)	
Respondent.	)	

The petitioner has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and a request to proceed in forma pauperis. The court has received a certified copy of the petitioner's institutional trust account information. I find that the petitioner is eligible to proceed in forma pauperis. Accordingly, the motion for leave to proceed in forma pauperis is granted, and the petitioner is excused from paying the filing fee.

Therefore, filing no. 2, the petitioner's motion for leave to proceed in forma pauperis, is granted.

SO ORDERED.

DATED this 13<sup>th</sup> day of July, 2006.

BY THE COURT:

s/F. A. GOSSETT  
United States Magistrate Judge